The Downsides of DEI

A Compendium of Resources

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MAR 30, 2025

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In this post, I pull together articles critical of DEI — Diversity, Equity, and Inclusic initiatives. This is not a "balanced" review — advocacy for DEI has been everywher for the last 5-10 years, so presumably, most of you have been exposed to the ideas of those who advocate it. This is a long post, and provided mainly as reference materia so I first summarize its key points.

Summary of the Arguments Critical of DEI and DEI Statements

These are the themes I have abstracted from the large literature critical of DEI and each appears as a heading below, under which you can find several sources. The themes are not completely independent, one theme often augments, strengthens or synergistic with another. Nonetheless, I found it worthwhile to divide the themes ir these groupings:

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- Meritocratic Beliefs are Strong Predictors of Low Discrimination

- Diversity Does Not Produce Its Promised Benefits
- DEI Has Unintended Negative Side Effects
- DEI Demonizes “Oppressor” Groups
- DEI is Deceptive, Disingenuous, and/or Involves Outright Lies
- DEI is a Litmus Test for Subjective, Progressive-Approved Political Activism a Values
- In Many Places, Including NIH and Elite Universities, DEI Implementation Ha Been, is, or May Be Illegal in the U.S.
- DEI is Harmful to Academic Freedom and Free Inquiry
- DEI Statements are Loyalty Oaths that Violate First Amendment Protections Against Compelled Speech
- DEI Bureaucracies’ Cost Exceeds Their Value or Do More Harm than Good
- DEI Worsens a Range of Academic Mal/Dysfunctions

Warning: This is not a “balanced” review of DEI, though its goal is to restore balance to the discussion of DEI within academia. DEI marched through the institutions over the last 10 years-ish with little or no debate. Worse, those who critical of it in principle or in the ways in which it was being implemented, were often denounced and demonized, le to something like a *spiral of silence* — most academics knew that if you were publicly critical of DEI, you risked being denounced as a racist, your reputation damaged, and lord knows how the rest of your career would go. So critics mo kept their mouths shut.

If you have not been exposed to the arguments FOR DEI, this is not the place to fin them, though they are all over academia — so they are not hard to find. I do have tw older posts that are debates about DEI, so you could start here and here, if you wan see some of the advocates in action.

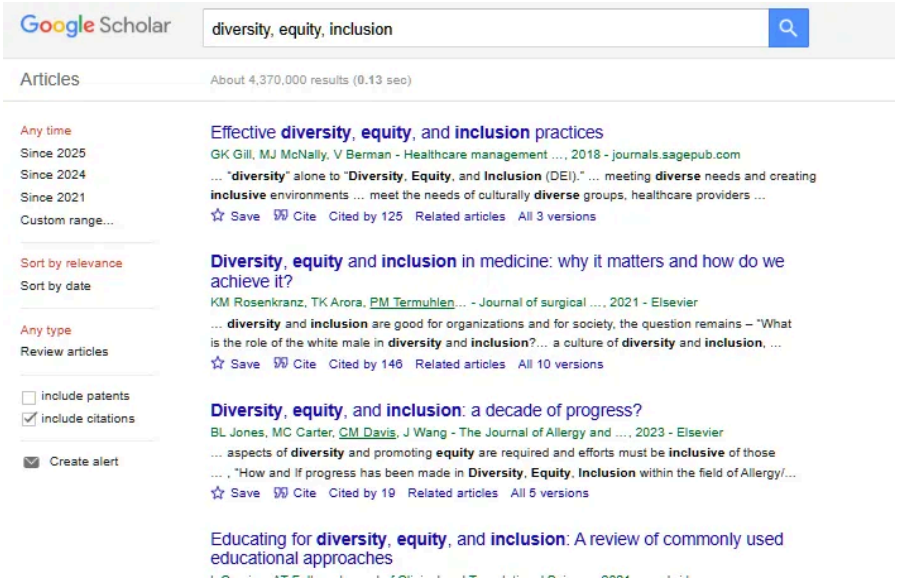
Although the sources here are almost completely one-sided [1], one purpose of this p is to restore balance — DEI advocacy, support, and bureaucracies (whose installatic meant institutional approval at the highest levels) are everywhere throughout much academia. So much so, that, I suspect, many within academia are not familiar with either the very mixed evidence on effectiveness, cost/benefit analyses suggesting, ev if they have some benefits, DEI bureaucracies are not worth the cost, or with other criticisms involving, for example, scientific or legal rather than empirical issues.

This post aspires to improve balance not by providing it, but by making it easier fo those wishing to understand the criticisms of DEI to find many of the sources providing them.

You do not balance this scale by adding equal weight to both sides.

HOWEVER, it would also be wrong to reach the conclusion that "DEI is an unmitigated disaster" by reading this post without also familiarizing yourself with arguments and evidence favoring it — this post provides the criticisms and downsi If you would like to find zillions of sources advocating for DEI, they are everywhere

but if you don't know where to start, just do a Google Scholar search for "diversity, equity, and inclusion."


Google Scholar
diversity, equity, inclusion
Articles
About 4,370,000 results (0.13 sec)
Any time
Since 2025
Since 2024
Since 2021
Custom range...
Sort by relevance
Sort by date
Any type
Review articles
include patents
include citations
Create alert
Effective diversity, equity, and inclusion practices
GK Gill, MJ McNally, V Berman - Healthcare management ..., 2018 - journals.sagepub.com
... "diversity" alone to "Diversity, Equity, and Inclusion (DEI)." ... meeting diverse needs and creating inclusive environments ... meet the needs of culturally diverse groups, healthcare providers ...
Save Cite Cited by 125 Related articles All 3 versions
Diversity, equity and inclusion in medicine: why it matters and how do we achieve it?
KM Rosenkranz, TK Arora, PM Termuhlen ... - Journal of surgical ..., 2021 - Elsevier
... diversity and inclusion are good for organizations and for society, the question remains – "What is the role of the white male in diversity and inclusion?... a culture of diversity and inclusion, ...
Save Cite Cited by 146 Related articles All 10 versions
Diversity, equity, and inclusion: a decade of progress?
BL Jones, MC Carter, CM Davis, J Wang - The Journal of Allergy and ..., 2023 - Elsevier
... aspects of diversity and promoting equity are required and efforts must be inclusive of those ... , "How and If progress has been made in Diversity, Equity, Inclusion within the field of Allergy/...
Save Cite Cited by 19 Related articles All 5 versions
Educating for diversity, equity, and inclusion: A review of commonly used educational approaches

What is and is not Here

I have included articles critical of any aspect of DEI — i.e., on diversity, on equity, c inclusion, or on the whole package. I do not include articles that are tangentially related, e.g., by studying or criticizing social justice ideologies, critical theories, positionality statements, land acknowledgements, etc. Cancellation attacks in the name of DEI are a borderline case; if most of the article is about the attack or free speech, it is not included. If it is mostly about DEI, or does an extensive job documenting how DEI advocates or rhetoric was pivotal in the attack, it might be included.

I have otherwise cast a broad net. By that I mean I include but am not restricting th compendium here to articles critical of DEI programs, policies, positions, and bureaucracies. They also address the rhetoric and ideas of DEI or espoused by DEI advocates, and the behavior of DEI advocates and officials.

I do include articles both on any aspect of D,E,I and on the use of DEI statements fo admissions, hiring, and promotions.

I have organized these articles around several themes. Any article that addresses mo than one theme will appear more than one time. ***Academic articles (peer review, commentaries, chapters, law journal articles, etc) are in bold italics.*** Articles appearing as eds, blogs, longform journalism, etc., are listed in regular font. Articles with links h underlining.

Sometimes I add quotes or other information from or about the article or author(s). did not do this for every source because this already long post would have been muc longer. I only added quotes when I thought they were particularly trenchant or informative.

I am sure there are plenty of good articles and essays missing. Please ping me in the comments or by email about this only if you know of:

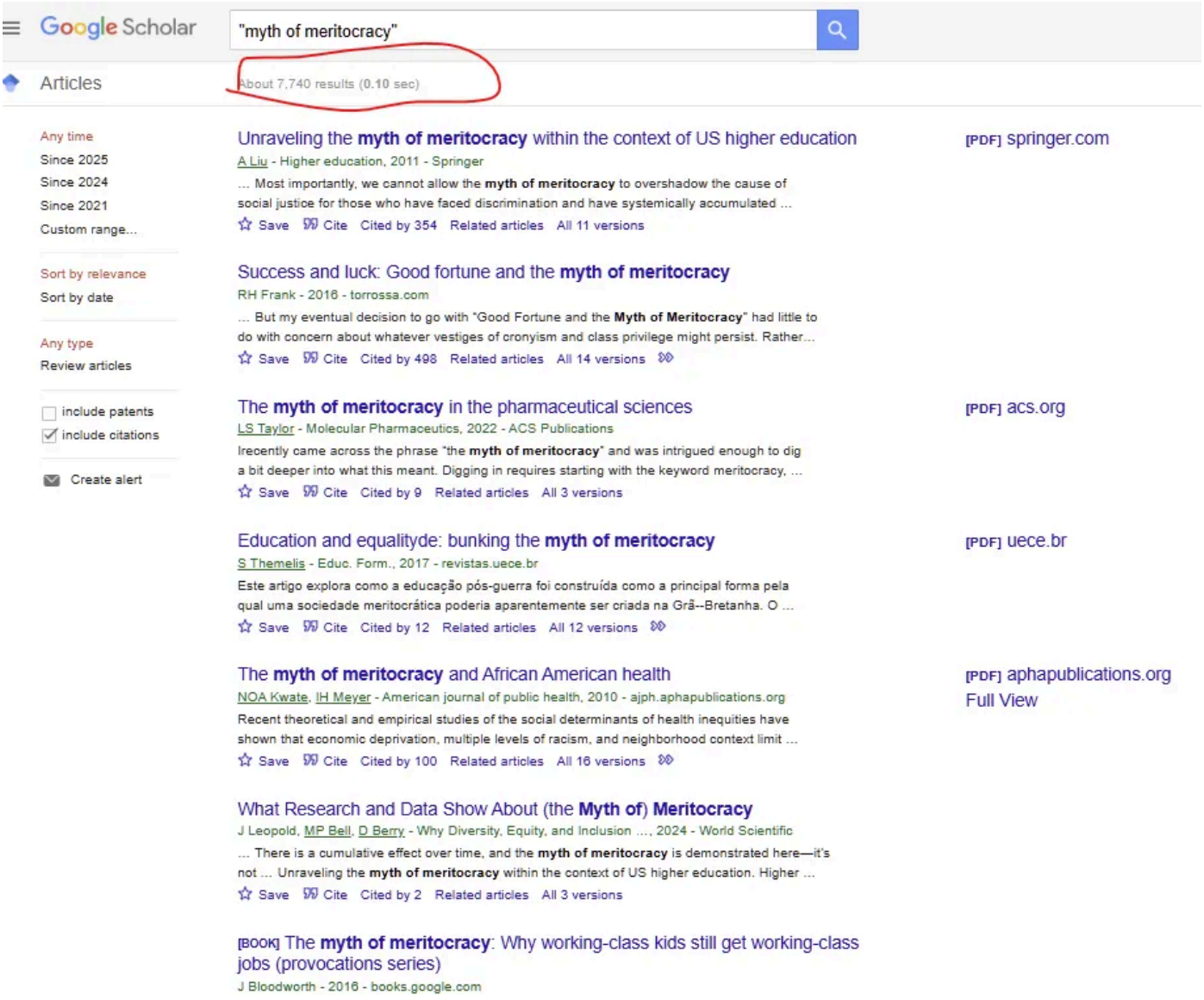
1. Any scholarly article or chapter critical of D,E, or I, DEI writ large, DEI bureaucracies or DEI statements that is not here.
2. Any essay that you think is both particularly good and makes different argumer from those here.

Let it roll...

Meritocratic Beliefs are Strong Predictors of Low Discrimination

Whether DEI is antithetical to merit is a debatable view, one not addressed in this compendium. However, the idea that "meritocracy is a myth" is all over academia, especially among DEI advocates, and is probably one reason for the abandonment o

GRE scores in graduate admissions. A quick Google Scholar search of "myth of meritocracy" yielded ***7000+ sources!***


Google Scholar
"myth of meritocracy"
Articles
About 7,740 results (0.10 sec)
Any time
Since 2025
Since 2024
Since 2021
Custom range...
Sort by relevance
Sort by date
Any type
Review articles
include patents
include citations
Create alert
Unraveling the myth of meritocracy within the context of US higher education
[PDF] springer.com
A Liu - Higher education, 2011 - Springer
... Most importantly, we cannot allow the myth of meritocracy to overshadow the cause of social justice for those who have faced discrimination and have systemically accumulated ...
Save Cite Cited by 354 Related articles All 11 versions
Success and luck: Good fortune and the myth of meritocracy
RH Frank - 2016 - torrossa.com
... But my eventual decision to go with "Good Fortune and the Myth of Meritocracy" had little to do with concern about whatever vestiges of cronyism and class privilege might persist. Rather...
Save Cite Cited by 498 Related articles All 14 versions
The myth of meritocracy in the pharmaceutical sciences
[PDF] acs.org
LS Taylor - Molecular Pharmaceutics, 2022 - ACS Publications
Irecently came across the phrase "the myth of meritocracy" and was intrigued enough to dig a bit deeper into what this meant. Digging in requires starting with the keyword meritocracy, ...
Save Cite Cited by 9 Related articles All 3 versions
Education and equalityde: bunking the myth of meritocracy
[PDF] uece.br
S Themelis - Educ. Form., 2017 - revistas.uece.br
Este artigo explora como a educação pós-guerra foi construída como a principal forma pela qual uma sociedade meritocrática poderia aparentemente ser criada na Grã--Bretanha. O ...
Save Cite Cited by 12 Related articles All 12 versions
The myth of meritocracy and African American health
[PDF] aphapublications.org
Full View
NOA Kwate, IH Meyer - American journal of public health, 2010 - ajph.aphapublications.org
Recent theoretical and empirical studies of the social determinants of health inequities have shown that economic deprivation, multiple levels of racism, and neighborhood context limit ...
Save Cite Cited by 100 Related articles All 16 versions
What Research and Data Show About (the Myth of) Meritocracy
J Leopold, MP Bell, D Berry - Why Diversity, Equity, and Inclusion ..., 2024 - World Scientific
... There is a cumulative effect over time, and the myth of meritocracy is demonstrated here—it's not ... Unraveling the myth of meritocracy within the context of US higher education. Higher ...
Save Cite Cited by 2 Related articles All 3 versions
[BOOK] The myth of meritocracy: Why working-class kids still get working-class jobs (provocations series)
J Bloodworth - 2016 - books.google.com

In this context, I found the article shown below (and available here) particularly interesting. It was a meta-analysis, of, among other things, the types of beliefs associated with discrimination. Believing in meritocracy had the strongest negative correlation with discrimination of any belief examined in this meta-analysis:

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On Melting Pots and Salad Bowls: A Meta-Analysis of the Effects of Identity-Blind and Identity-Conscious Diversity Ideologies

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University of Florida

Yeonka (Sophia) Kim
University of Wisconsin—La Crosse

Gregory R. Beaver
Suffolk University

Significant debate exists regarding whether different diversity ideologies, defined as individuals' beliefs regarding the importance of demographic differences and how to navigate them, improve intergroup relations in organizations and the broader society. We seek to advance understanding by drawing finer-grained distinctions among diversity ideology types and intergroup relations outcomes. To this end, we use random effects meta-analysis ($k = 296$) to investigate the effects of 3 identity-blind ideologies—colorblindness, meritocracy, and assimilation—and 1 identity-conscious ideology—multiculturalism—on 4 indicators of high quality intergroup relations—reduced prejudice, discrimination, and stereotyping and increased diversity policy support. Multiculturalism is generally associated with high quality intergroup relations (prejudice: $\rho = -.32$; discrimination: $\rho = -.22$; stereotyping: $\rho = -.17$; policy support: $\rho = .57$). In contrast, the effects of identity-blind ideologies vary considerably. Different identity-blind ideologies have divergent effects on the same outcome; for example, colorblindness is negatively related ($\rho = -.19$), meritocracy is unrelated ($\rho = .00$), and assimilation is positively related ($\rho = .17$) to stereotyping. Likewise, the same ideology has divergent effects on different outcomes; for example, meritocracy is negatively related to discrimination ($\rho = -.48$), but also negatively related to policy support ($\rho = -.45$) and unrelated to prejudice ($\rho = -.15$) and stereotyping ($\rho = .00$). We discuss the implications of our findings for theory, practice, and future research.

The -.48 correlation between believing in meritocracy and discrimination (so, highe belief in meritocracy, lower discrimination) is one of the largest I have ever seen obtained in a meta-analysis. In contrast, to use just one class of examples, meta-analyses typically find implicit bias (as measured by the implicit association test) correlates in the .1 to .3 range with bias and discrimination (go here for a review).

Of course, -.48 is a correlation so a causal interpretation is up for grabs. On the oth hand, 23% of the studies in this meta-analysis were experiments. Furthermore, it is hard to image reverse causality — egalitarian behavior causes beliefs in meritocrac Implausible at best. And, of course (again), the correlations of implicit bias with discrimination are also … correlations of unclear causal interpretation, though it is

worth noting that experimentally changing implicit bias scores had no effect on discrimination.

So, DEI advocates, if you want to limit discrimination, let's bag the implicit bias trainings. A better bet is to start encouraging your colleagues to start focusing like laser on merit. [2]

Diversity Does Not Produce Its Promised Benefits

Green, J., & Hand, J. R. (2024). McKinsey's Diversity Matters/Delivers/Wins Results Revisited. *Econ Journal Watch*, *21*(1). Quote from their conclusion:

> In a series of studies that are highly influential in the business world, McKinsey (2015; 2018; 2020; 2023) report finding statistically significant positive relations between the industry-adjusted EBIT margin of global samples of large public fir and the racial/ethnic diversity of their executives. However, when we conduct a quasi-replication of McKinsey's tests using data for US S&P 500® firms as of 12/31/19, we find a not statistically significant relations between McKinsey's measures of executive racial/ethnic diversity and not only industry-adjusted EBI' margin, but also industry-adjusted sales growth, gross margin, return on assets, return on equity, and total shareholder return.

Nagai, A. (2021). Campus Diversity and Student Discontent: The Costs of Race and Ethnic Preferences in College Admissions. Center for Equal Opportunity. Some quotes:

> In Mismatch, Richard Sander and Stuart Taylor reviewed the studies of academi disparities in higher education, where blacks and Hispanics (i.e., URMs) start college with significantly lower academic credentials and less academically challenging classes compared to Asian Americans and whites. Such mismatches increase the likelihood of URMs having lower college grades, transferring, and taking longer to graduate.

> Research has shown that blacks and Hispanics who enter colleges with significa lower academic skills and preparation incur significant academic and psycholog costs.
>
> Using data from the University of Michigan (1999), Sander found that black matriculants with relatively low scores on Michigan's academic index (low score being an indicator of receiving large admissions preference) were less likely to major in STEM and graduate compared to those with high academic index score Using data from the National Longitudinal Survey of Freshmen (NLSF), Sander found that of those with strong entering credentials, black students had higher rates of STEM graduation compared to whites.

Rothman, S., Lipset, S. M., & Nevitte, N. (2003). Does enrollment diversity improve universi education?. International Journal of Public Opinion Research, 15(1), 8-26. This was an empirical study based on a national sample of 4000 students. From their abstract:

> When student, faculty, and administrators' evaluations of the educational and ra atmosphere were correlated with the percentage of minority students enrolled at college or university, the predicted positive associations of educational benefits inter-racial understanding failed to appear. Thus, the findings fail to support the argument that enrollment diversity improves education and racial milieu at American colleges and universities.

TABLE 1 Correlation between evaluation of college life and enrollment diversity (student, faculty, and administrator samples)

	Satisfaction with university experience	*Quality of education*	*Assessment of student skills*	*Student work effort*	*Unfair treatment*	*Minority student treatment*	*Racial discrimination*
Students	−.08**	−.14**	N/A	−.09**	.08**	.00	.04
Faculty	N/A	−.13**	−.15**	−.09**	.01	.09**	−.07**
Administrators	N/A	−.16**	−.26**	−.03	.05	.06	−.08*

Most of these correlations are pretty small but:

1. They are mostly in the "wrong" direction, i.e., enrollment diversity correlates w the quality of student life and education such that more diversity predicts lowe quality.
2. Two **'s means p<.01, which many social scientists take as license to take the result seriously.

Social justice perspectives often argue that "small effects accumulate." If you buy th argument, then, if these effects accumulate over 4-7 years of college (median time t degree is about 6 years), then they would not be so small.

TABLE 2 **Determinants of students' evaluations of college life (Beta weights)**

	Satisfaction with quality of education	*Student work effort*	*Satisfaction with university experience*	*Unfair treatment*
Institutional factors				
Faculty-student ratio	−.064	−.018	−.068*	.029
Number of programs offered	.014	.038	−.067	.097*
Doctoral	.009	.105*	.068	−.020
Liberal arts	.036	.067*	.046	−.014
Public university	−.151**	−.190**	−.030	.022
Proportion of black students	−.120**	−.133**	−.089**	.102**
Percent admitted who applied	−.175**	−.224**	−.050	.027

Only part of Table 2 is shown. The results circled in red are evidence that "inclusio operationalized as accepting more students predicts lower student satisfaction wit their education and less student effort. Very similar results were found for faculty a administrators.

Stroebe, W. (2024). The myth of the need for diversity among subjects in theory-testing research: Comments on "Racial inequality in psychological research" by Roberts et al.(2020, [*Perspectives on Psychological Science, 19(3), 576-579*](#).

Thyer, B. A. (2025). Mandated Ideologies are Harmful to Social Work Practice and Researc *Journal of Teaching in Social Work, 45(2), 298-316.*

Wallrich, L., Opara, V., Wesołowska, M., Barnoth, D., & Yousefi, S. (2024). The relationshi between team diversity and team performance: Reconciling promise and reality through a comprehensive meta-analysis registered report. Journal of Business and Psychology, 39(6), 1303-1354. From their abstract:

> Overall, we found that the average linear relationships between demographic, jo related and cognitive diversity, and team performance are significant and positiv but insubstantial (|r|<.1).

DEI Has Unintended Negative Side Effects

The University of Michigan Doubled Down on DEI. What Went Wrong? NYTimes.

Leslie, L. M., Kim, Y. L., & Emily, R. Y. (2024). Diversity initiatives: Intended and unintend effects. Current Opinion in Psychology, 101942.

> As a diversity initiative becomes stronger, it is likely to work as intended up to a point, after which it is likely to produce detrimental, unintended consequences t erode its effectiveness.

Mills, J. (2025). A Critique of Antiracist Ideology. Journal of Teaching in Social Work, 45(2) 393-415. Quote:

> When antiracism programming is weaponized to demoralize people in the name social justice, then we must acknowledge, resist, and reject the untrue, unethical and irresponsible posturing such anideology inflicts on mental health education training, and service delivery, which inevitably infects the public at large. It mus openly challenged at all costs or else the helping professions will be transformed into an Orwellian state that harms the masses based in gaslighting, shaming, gui inducement, bad faith, and traumatic condemnation

New York Times, 3/27/25. University of Michigan to Scuttle Its Flagship D.E.I. Program. From the article:

> … in surveys, students reported a less positive campus climate than at the progra start and less of a sense of belonging.
>
> Some students and faculty complained that the school's heavy emphasis on D.E.I had chilled the intellectual climate on campus and led academic work to focus tc much on questions of identity and oppression. According to one report produced Michigan's D.E.I. office in 2023, nearly half of all the school's undergraduate courses included what the office considered "D.E.I. content," such as exploration of racial, ethnic or religious identity.

Singal, J. (2023). What if diversity training is doing more harm than good? New York Times. Quotes:

> Over the years, social scientists who have conducted careful reviews of the evide base for diversity training have frequently come to discouraging conclusions.
>
> If diversity training has no impact whatsoever, that would mean that perhaps billions of dollars are being wasted annually in the United States on these efforts But there's a darker possibility: Some diversity initiatives might actually worsen D.E.I. climates of the organizations that pay for them.
>
> That's partly because any psychological intervention may turn out to do more ha than good.
>
> Many popular contemporary D.E.I. approaches meet these criteria. They often se geared more toward sparking a revolutionary reunderstanding of race relations t solving organizations' specific problems. And they often blame white people — their culture — for harming people of color. For example, the activist Tema Oku work cites concepts like objectivity and worship of the written word as characteristics of "white supremacy culture." Robin DiAngelo's "white fragility"

> training sessions are designed to make white participants uncomfortable. And microaggression training workshops are based on an area of academic literature that claims, without quality evidence, that common utterances like "America is a melting pot" harm the mental health of people of color.

Stanovich, K. E. (2024). Toward a psychology of ideas rather than demographics: Comment on Hommel (2024). Perspectives on Psychological Science, 19(3), 580-584. The abstract:

> The public will rightly not value a science that is more concerned with demographic population matching than with ideas. Taking further steps in the direction of identity politics will reduce public confidence in psychology's conclusions and reduce trust and respect. If psychology embraces demographic quotas, there will be self-selection out of the discipline, and that self-selection w harm our science.

DEI Demonizes "Oppressor" Groups

Note: "Oppressor" is in scare quotes because no one can possibly oppress anyone el merely by virtue of existing as a member of some demographic category, including a category that has relatively high status or success within a society. Real oppression, opposed to delusions of "oppression," actually requires *doing something to someone e or lots of someone elses that unfairly deprives them of their rights or opportunities.*

One might think these belong under DEI has Unintended Negative Side effects, bu you read the rhetoric of people like Kendi & DiAngelo, it is hard not to see demonization as *intended.* You can find some of that rhetoric used to create the experimental manipulation in the first study described in Jagdeep et al below.

Hooven, C. K. (2023). Academic freedom is social justice: Sex, gender, and cancel culture o campus. Archives of Sexual Behavior, 52(1), 35-41.

- How the DEI representative at Harvard's biology department ginned up a mob that created a hostile work environment for Hooven and ultimately drove her o

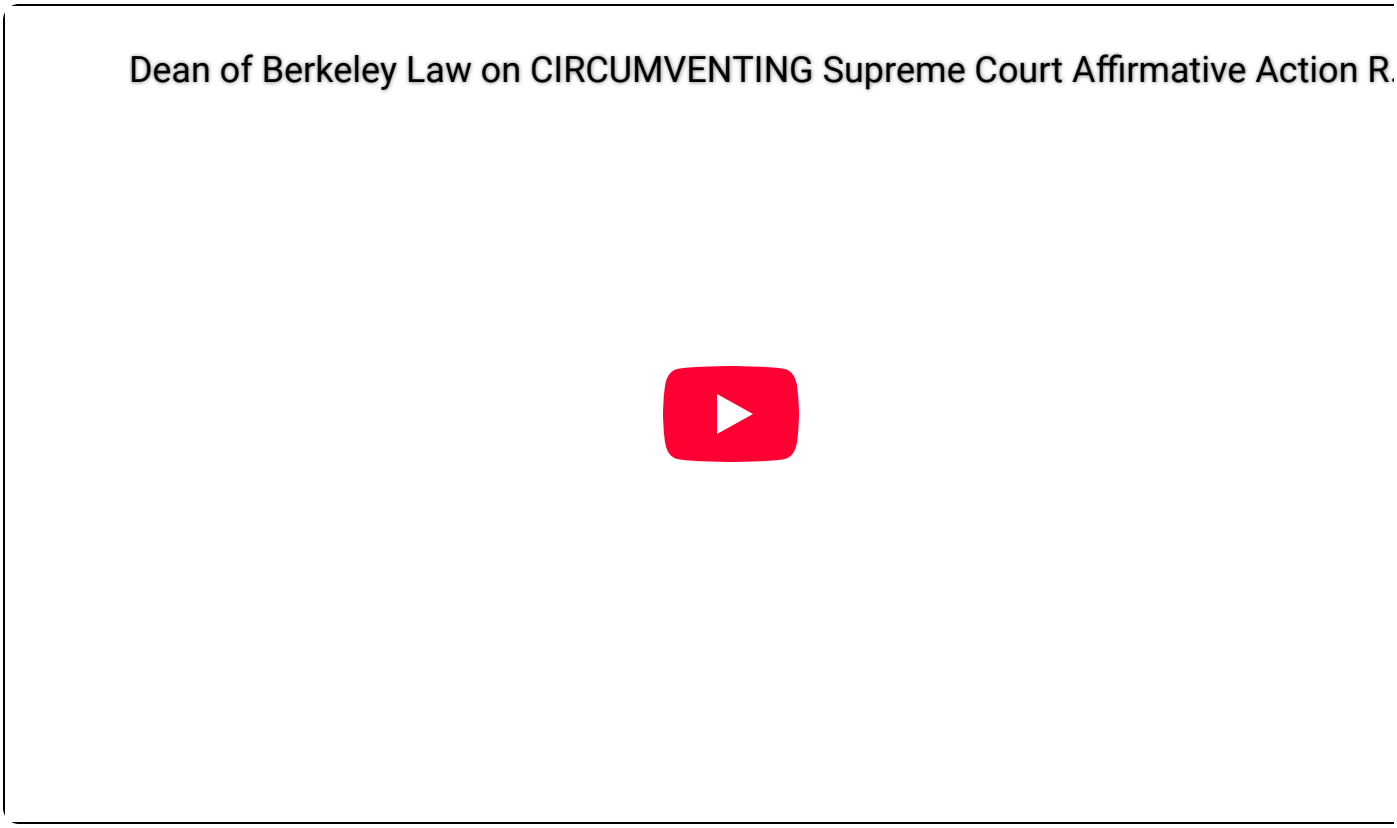
of Harvard. Her sin? Declaring sex to be biological on Fox News. (It is not clear which was the worse offense, the statement or the mere fact of appearing on Fox News to state something Fox hosts and viewers would generally endorse).

Jagdeep, A. et al (2024). Instructing animosity: How DEI pedagogy produces the hostile attribution bias. NCRI report. I was one of the et al. These were the main findings:

- Across three experiments, instead of reducing bias, DEI anti-racist, anti-Islamaphobic and anti-Hindu caste oppression rhetoric engendered a hostile attribution bias… People "saw" prejudice where none existed and endorsed punishing supposed perpetrators of bias without evidence of bias.

DEI is Deceptive, Disingenuous, and/or Involves Outright Lies

This has to be seen to be believed. It is both a confession by a Berkeley Law School dean that doing DEI in hiring requires deception in order to hide illegal practices a encouragement and instructions on how to do it. Its under 2 minutes.



Burgess, M. (2024). It's time to stop the double talk around diversity hiring. *Chronicl Higher Education.*

> When discussing this topic in academe or online, I often encounter people who v argue one minute that diversity hiring is good and we should do more of it, but v will the next minute angrily deny that it is happening. Colleges breed this kind o cognitive dissonance. They make you undergo trainings when you start your facu job or join a search committee, which make it clear that the college prohibits discrimination on the basis of race, gender, sexual orientation (and, at my university, political affiliation and political philosophy). But then they create programs like FDAP, and practices like requiring DEI statements from job candidates, whose purpose is plainly to discriminate in exactly these ways. The result is a situation where no one really knows what the rules are.

Friedersdorf, C. (2023). The Hypocrisy of Mandatory Diversity Statements. The Atlantic.

Frierdersdorf, C. (2025). DEI has lost all meaning. The Atlantic. Some quotes:

> The problem with DEI begins with its most basic definition: "diversity, equity, a inclusion." Each of those terms can be defined in conflicting ways. For example, Los Angeles public school system, which admits and teaches any child who enro and Yale University, which deliberately rejects the overwhelming majority of its applicants, both claim "inclusion" as a core value. The trio of terms can be in tension with one another, too; Harvard pursued diversity in admissions, for example, by systematically treating Asian applicants inequitably.
>
> In the past, when DEI had more positive connotations, its vagueness gave the lef cover to implement ideas that would have risked rejection if evaluated on their o specific terms. The DEI label failed to distinguish policies that aroused little opposition, such as Pride Month anti-bullying campaigns, from policies that wer unpopular, such as allowing trans women to play on women's sports teams; polic that yielded a clear benefit, such as accommodating a disability, from policies lo judged by scholars to be ineffective, such as workplace training sessions on race and policies that were lawful from legally dubious policies, such as ideological litmus tests for professors at public colleges.

Jussim, L. (2022). Mandatory Diversity, Equity, and Inclusion Statements at SPSP: A Email Exchange with Notables from the Society for Personality and Social Psychol Unsafe Science. Quotes:

> Cross woke academics and all Hell can break loose, including losing your job. [3]
>
> Anti-racism, as you describe it involves "opposing racism and discrimination." Great. Should I submit something to SPSP like this?
>
> - "It is the anti-racist policy of my lab to judge people entirely on their merits Students are admitted to the lab based entirely on their achievements and qualifications, regardless of their racial or other demographic backgrounds.

> > This is *transcendantally* anti-racist because it *makes no important decisions* bas on race, and focuses like a laser on people's actual or potential contributions *treats people as individuals, not as category symbols.* It is maximally inclusive because it *includes* anyone qualified to join the lab, regardless of their demographics. It maximizes 'equity' by providing opportunities to succeed f all students with sufficient background to join the lab."
>
> What do you think are the odds that this would help or harm the submission?

Jussim, L. (2024). Propaganda Scholarship and Orwellian "Diversity" in Academia. Unsafe Science. Quotes:

> [In refuting a recent social psychology publication that mischaracterized the progressive understanding of “diversity” as more or less synonymous with “oppressed” as itself “traditional” when in fact progressive diversity is the new meaning, the old one being synonymous with “variety”]:
>
> This is progressive diversity and there is only one sense in which it is “traditiona The U.S. Supreme Court first (hence SCOTUS) declared “diversity" to be an acceptable criteria for college admissions in its 1978 Bakke decision. Ever since, academics have “traditionally” conspired to exploit that decision to engage in gr preferences (in admissions, hiring, invitation, funding, and more) that are almost certainly illegal and which clearly violate the normal English meaning of civil rig laws and SCOTUS decisions (more on this later in this essay).
>
> {the essay then goes into a deep dive into SCOTUS decisions and civil rights law pointing out things like the equal protection clause of the 14th Amendment and civil rights law, apply universally, and not only to “oppressed” groups… and then:
>
> If protection from racial, ethnic, religious and ethnic discrimination is *not* a spec right afforded oppressed groups, but, instead, is afforded universally, how could progressives institute preferential treatment based on membership in an oppres

> group? Step 1: Recognize that Bakke and Grutter did permit selection based on "diversity." Step 2: Change the meaning of "diversity" so that it is *restricted* to membership in oppressed groups!
>
> This part of the *1978(!!)* [SCOTUS] Bakke decision bears repeating:
>
> > the "nation's future depends upon leaders trained through wide exposure" to ideas and mores of students as diverse as this Nation of many peoples.
>
> Academia has failed miserably at achieving the diversity embraced in Bakke.
>
> Bakke continued:
>
> > Ethnic diversity, however, is only one element in a range of factors a universit properly may consider in attaining the goal of a heterogeneous student body.
>
> and:
>
> > The diversity that furthers a compelling state interest encompasses a far broa array of qualifications and characteristics, of which racial or ethnic origin is b a single, though important, element. Petitioner's special admissions program, focused solely on ethnic diversity, would hinder, rather than further, attainme of genuine diversity.

DEI is a Litmus Test for Subjective, Progressive-Approved Political Activism and Values

Anthony, A. (2023). How Academic Freedom Died at Princeton. Compact. Quote:

> Princeton's diversity bureaucracy functions as an ideological surveillance system that regulates the social and academic cultures.
>
> Ultimately, the university's allegedly "diverse" spaces are homogenous. They segregate—rather than integrate—individuals with different beliefs, backgrounc

> and values.

Coyne, J. (2019). Life science jobs at Berkeley give precedence to candidates' diversi and inclusion statements. Why Evolution is True. Documents that:

1. Berkeley Life Sciences used diversity statements as a first screen to reduce applicants considered for jobs from 893 to 214.
2. They used the Berkeley Rubric for evaluating diversity statements, which is pre clearly ideological screening and not viewpoint neutral. [4]

Epstein, R.A. (2020). The civil rights juggernaut. University of Illinois Law Review, 1541-15 Quotes:

> It is therefore no surprise that the next stage in this process is to put diversity ar inclusion at the center of the hiring process, whereby in the academic setting it i now required that every applicant must give their own account of how they will work in their own career to advance the goals of diversity and inclusion. One consequence of this standard is that any consideration of academic merit is put c the back burner until these concerns are satisfied, which in practice means a hea concentration of left-of-center faculty members, which is wholly skewed in favo Democratic and liberal professors w

Flier, J. (2019). Against Diversity Statements. Chronicle of Higher Education. Jeffrey Flier is a former Dean of the Harvard Medical School. Some quotes:

> Most in the academic community, including myself, see efforts toward greater diversity and inclusion as essential to the core commitments of a humane and liberal society, such as eliminating inappropriate barriers, creating equal opportunity, and displaying tolerance and respect for group differences. But the terms — diversity, equity, and inclusion — are rarely defined with specificity, an their meaning has been subtly shifting.

> One way to understand the problem is to examine the academic literature regard equity and inclusion today. This literature, though not uniform, often incorporat key elements of a theoretical corpus known as "critical race theory," little known many academics outside of the social sciences and the humanities. It emphasizes structural racism, white privilege and supremacy, microaggressions, economical driven power relationships, and intersectionality. At the level of policy, it favors "race conscious" rather than "color blind" approaches to remedies.
>
> My goal here is not to critique or evaluate the precepts of critical race theory. Bu is obvious that these ideas and policy frameworks are not politically neutral. Rat they map onto the left/progressive wing of the political spectrum, and their clain are arguable and highly contested. This ideological context is hardly subtle, but many academics appear not to appreciate its pervasiveness. The resulting ambig makes it difficult to debate proposed policies, which are portrayed as reflecting common decency even as they are increasingly linked to a particular leftist ideol

McBrayer, J. P. (2022). Diversity Statements Are the New Faith Statements. Inside Higher Education.

> Diversity statements function like faith statements. Even though they are nomin about different topics, they work in similar ways and have structurally similar effects.
>
> First, both faith and diversity statements effectively screen out potential candida at the application stage…
>
> Requiring a faith statement was an effective way of ensuring that religious peopl (or those willing to pretend) were overrepresented in the candidate pool relative the general Ph.D. population. In other words, faith statements screen applicants
>
> Diversity statements do the same thing…

> It's eminently plausible that faith statements correlate with all sorts of social and political allegiances; diversity statements do the same. It's not like one's views about diversity, equity and inclusion are somehow isolated from the remainder of one's worldview. How you write about diversity will be a reliable indicator about how you think and teach and vote on a wide range of other issues.

Friedersdorf, C. (2023). The Hypocrisy of Mandatory Diversity Statements. The Atlantic.

Kennedy, R. L. (2024). Mandatory DEI Statements Are Ideological Pledges of Allegiance. Time to Abandon Them. Harvard Crimson. Randall Kennedy is an emin Black law professor at Harvard. He clerked for Thurgood Marshall. Some quotes fro the article:

> The Bok Center's how-to page mirrors the expectation that DEI statements will essentially constitute pledges of allegiance that enlist academics into the DEI movement by dint of soft-spoken but real coercion: If you want the job or the promotion, play ball — or else. [This refers to the Bok Center for Teaching and Learning at Harvard].
>
> Playing ball entails affirming that the DEI bureaucracy is a good thing and askin no questions that challenge it, all the while making sure to use in one's attestatio the easy-to-parody DEI lingo. It does not take much discernment to see, moreov that the diversity statement regime leans heavily and tendentiously towards varieties of academic leftism and implicitly discourages candidates who harbor ideologically conservative dispositions.
>
> In addition to exerting pressure towards leftist conformity, the process of elicitin diversity statements abets cynicism. Detractors reasonably suspect that underne the uncontroversial aspirations for diversity statements — facilitating a more op and welcoming environment for everyone — are controversial goals including th

> weeding out of candidates who manifest opposition to or show insufficient enthusiasm for the DEI regime.
>
> The Bok Center's how-to page mirrors the expectation that DEI statements will essentially constitute pledges of allegiance that enlist academics into the DEI movement by dint of soft-spoken but real coercion: If you want the job or the promotion, play ball — or else.
>
> Playing ball entails affirming that the DEI bureaucracy is a good thing and askin no questions that challenge it, all the while making sure to use in one's attestatic the easy-to-parody DEI lingo. It does not take much discernment to see, moreov that the diversity statement regime leans heavily and tendentiously towards varieties of academic leftism and implicitly discourages candidates who harbor ideologically conservative dispositions.

Robinson, T. R & Shah, N. H. (2024). Harvard Faculty of Arts and Sciences Will No Longer Require Diversity Statements. Harvard Crimson. Quotes:

> But the push to get rid of diversity statements was not limited to Gay's right-win critics or Republican-controlled state legislatures. In recent months, a number o Harvard professors have urged the University to back away from its use of the statements.
>
> Critics argued that DIB [Diversity, Inclusion and Belonging] statements force potential faculty members to declare their support for an institutional viewpoint instead of playing host to genuine reflection.
>
> Psychology professor Steven A. Pinker, a co-president of the Council on Academ Freedom at Harvard, slammed diversity statements in a December 2023 Boston Globe op-ed, arguing that they "purge the next generation of scholars of anyone who isn't a woke ideologue or a skilled liar."

> Hall [philosophy professor and president of the Council on Academic Freedom a Harvard] defended diversity statements as a way to understand how job candidat would educate classrooms of diverse students. But he criticized institutions' expectations that candidates profess their dedication to "equity-based teaching" a "horribly distorted view" of what such statements should contain.

Sailer, J. (2023). How Diversity Policing Fails Science. Wall Street Journal. Quotes:

> **An open-records request reveals that Texas Tech faculty penaliz candidates for heterodox opinions.**
>
> At Texas Tech University, a candidate for a faculty job in the department of biological sciences was flagged by the department's search committee for not knowing the difference between "equality" and "equity"... Still another was prais for having made a "land acknowledgment" during the interview process. A land acknowledgment is a statement noting that Native Americans once lived in wha now the United States.
>
> One Texas Tech search committee penalized a candidate for espousing race-neutrality in teaching. The candidate "mentioned that DEI is not an issue becau he respects his students and treats them equally," the evaluation notes. "This indicates a lack of understanding of equity and inclusion issues."
>
> Another search committee flagged a candidate for failing to properly understanc "the difference between equity and equality, even on re-direct," noting that this suggests a "rather superficial understanding of DEI more generally." This distinction arises frequently in DEI training, always as a markedly ideological talking point. According to the schema, equality means equal opportunity, but, t use the words of Vice President Kamala Harris, "Equitable treatment means we end up in the same place." Somehow, failing to explain that distinction reflects poorly on a biologist.

Sailer, J. (2023). Documents: Mizzou Imposes DEI Litmus Test. Minding the Campu

Sailer, J. (2023). Inside Ohio State's DEI Factory. Wall Street Journal.

Sailer, J. (2024). Yale Tells Hopeful Scientists: You Must Commit to DEI. The Free Press.

Sailer, J. (2024). UM's [University of Michigan] "Cultural Transformation. City Journ
Quote:

> Evaluating scholars for their "commitment to DEI" inevitably veers into an ideological litmus test, given what's implied by the term "diversity, equity, and inclusion." M-PACT itself illustrates these ideological connotations; the proposa calls for a "culturally aware" mentoring workshop that draws from both "feminis theories" and "critical race theory."

In Many Places, Including NIH and Elite Universities, DEI Implementation Has Been, is, or May Be Illegal in the U.S

Abbot, D.S. and I. Marinovic, The Diversity Problem on Campus, Newsweek, 2021.

> The words "diversity, equity and inclusion" sound just, and are often supported l well-intentioned people, but their effects are the opposite of noble sentiments. Most importantly, "equity" does not mean fair and equal treatment. DEI seeks tc increase the representation of some groups through discrimination against members of other groups.

Burgess, M. (2024). It's time to stop the double talk around diversity hiring. *Chronicl Higher Education.*

> (Before publishing this, I reached out to the University of Colorado at Boulder's director of issues management, Nicole Mueksch. She told me that the College of Arts and Sciences hired 22 faculty members who started between the fall of 2021 and the fall of 2022, of which 12 were funded by FDAP.) FDAP [Faculty Diversity Action Plan] sets aside a large fraction of vacated positions for diversity hires,

> which were often targeted (i.e., a department proposed to hire a specific person rather than run a search). It was clear from the get-go that the intent of FDAP w to conduct diversity hiring. For example, the 2020 template for FDAP hiring requests asked departments to answer the following question: "How will this hir increase the number of underrepresented faculty members in the unit (e.g., U.S. Faculty of Color, women in disciplines where underrepresented)?" (In 2023, FDA was rebranded as "Critical Needs Hiring" and the demographic objectives were made somewhat more opaque.)

Initiative to Advance Faculty Diversity, Equity and Inclusion in the Life Science at Berkeley Year End Summary Report: 2018-2019

- This is a "celebration" of the success of the Berkeley DEI program. Its own numbers almost certainly demonstrate that they engaged in racial and sex discrimination.

Some select quotes:

> In its first year, the Initiative to Advance Faculty Diversity, Equity and Inclusion the Life Sciences made a strong impact on our campus and was a successful cata for positive change. It has been a high profile "proof of concept" that changing faculty search practices can result in successful recruitment of candidates that a both excellent researchers and committed advocates for advancing diversity, equ and inclusion (DE&I) through their research, teaching, and/or service.
>
> The LSI Committee conducted a first review and evaluated candidates based sol on contributions to diversity, equity and inclusion. Only candidates that met a h standard in this area were advanced for further review, narrowing the pool down 214 for serious consideration

So, DEI is the first screen, as if it is more important than, say, disciplinary compete or teaching skill. Here are the numbers that strongly suggest illegal racial and sex

discrimination:

Table A: Life Science Faculty (Cluster) Search Demographics:

GENDER	Applicant Pool	Longlist	Shortlist
Count	894	214	22
Female	41.70%	60.30%	63.60%
Male	56.50%	39.30%	36.40%
Unknown	1.80%	0.50%	0.00%
RACE/ETHNICITY	**Applicant Pool**	**Longlist**	**Shortlist**
Count	894	214	22
African American	2.80%	6.10%	9.10%
Hispanic	13.20%	22.90%	59.10%
Native American	0.40%	1.40%	0.00%
Asian	25.70%	18.70%	18.20%
White	53.70%	48.10%	13.60%
Unknown	4.10%	2.80%	0.00%

TABLE B: ESPM Faculty Search Demographics:

GENDER	Applicant Pool	Longlist	Shortlist
Count	360	80	5
Female	45.30%	60.00%	60.00%
Male	51.40%	38.80%	40.00%
Unknown	3.30%	1.30%	0.00%
RACE/ETHNICITY	**Applicant Pool**	**Longlist**	**Shortlist**
Count	360	80	5
African American	4.20%	8.80%	20.00%
Hispanic	11.10%	22.50%	20.00%
Native American	1.10%	3.80%	20.00%
Asian	18.10%	11.30%	40.00%
White	58.90%	52.50%	0.00%
Unknown	6.70%	1.30%	0.00%

In the second search, labeled ESPM (Environmental Science and Policy Manageme only 5 candidates made the shortlist. This is very low and low N results can be wild variable. So I checked to see the likelihood of no White applicants making the shor by going to my regular binomial calculator. The probably is less than 1/100 that no White applicants would be shortlisted, assuming all applicants have an equal chanc Now, of course, some applicants are stronger than others on conventional academic grounds, raising the eternal question: If the five minority/minoritized candidates shortlisted really were better than all those White applicants, why did Berkeley nee DEI *at all*? They could have gotten there simply by choosing on merit. They could j bag the whole DEI system. Right? Right? ***Right!?***

Jussim, L. (2024). Propaganda Scholarship and Orwellian "Diversity" in Academia. Unsafe Science. Quotes:

> U.S. civil rights law prohibits discrimination on the basis of race, sex, ethnicity a religion. It does not exclusively apply to groups progressives believe deserve spe treatment or are “underrepresented,” “minoritized,” or “oppressed.” It protects *everyone* from discrimination based on their race, sex, ethnicity, and religion. He is the key text from the 1964 law:
>
> > No person in the United States shall, on the ground of race, color, or national origin, be exclued from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.
> >
> > It shall be an unlawful employment practice for an employer to fail or refuse t hire or to discharge any individual, or otherwise to discriminate against any individual with respect to his compensation, terms, conditions, or privileges c employment, because of such individual’s race, color, religion, sex, or nationa origin.
>
> Note there is nothing here about *specific groups* (oppressed or otherwise). It is ille to discriminate against individuals from oppressed groups, from non-oppressed groups, from oppressor groups, from underrepresented groups, from adequately represented groups, and from overrepresented groups *because of their race, color, religion, sex or national origin.*

Levi, A., & Fried, Y. (2025). Diversity, equity, and inclusion programs' emphasis on symboli Causes and consequences. Journal of Organizational Behavior, 46(1), 172-187. Quotes:

> In their overview of diversity programs, Hellerstedt et al. (2024) noted an increas support for quotas and other direct methods for increasing demographic diversi in organizations. These authors explained this approach to diversity as stemmin

> from an "advocacy or power logic." This logic has the primary aim of increasing "representation" of demographic and other surface-level attributes such as race gender, and does not rely on business case arguments. It tends to be more adversarial than the moral justice logic and the business case logic. Our view is t the advocacy logic has become more prominent because the business case and th moral justice/civil rights perspectives have not resulted in the expected or desire level of demographic diversity, so that more direct measures have been deemed necessary…
>
> These types of preferential policies adopted to boost diversity are problematic fo least two reasons. First, they arguably or clearly violate the Civil Rights Act, whi forbids discrimination on the basis of protected categories such as race and sex. Firms adopting such policies are vulnerable to Title VII discrimination lawsuits. fact, Starbucks has been sued for race discrimination for the policies and actions the firm took after the incident at the Philadelphia store (Royle, 2023). A New Jer federal court imposed punitive damages of $25 million on Starbucks and awarde $600,000 in compensatory damages to the regional manager who was fired over t incident. The court determined that her race (White) was a determinative factor her firing. Several other firms that have adopted preferential hiring, promotion, training practices in their DEI programs, such as BlackRock and Verizon, have a been accused of race and sex discrimination, and are likely to face lawsuits and garner negative publicity. According to Noah Peters, former solicitor of the Fede Labor Relations Authority, preferential programs such as minorities-only internships, mentoring programs, and scholarships are "lawsuits waiting to happen" (Sibarium, 2023).

Sailer, J. (2023). University of Washington Violated Non-Discrimination Policy, Internal Report Finds. National Association of Scholars Blog. Quote:

> A faculty hiring committee at the University of Washington (UW) "inappropriate considered candidates' races when determining the order of offers," provided

> "disparate opportunities for candidates based on their race," and ultimately used race as "a substantial factor" in its hiring decision, according to a UW report acquired by the National Association of Scholars.

Sailer, J. (2023). Inside Ohio State's DEI Factory. Wall Street Journal. Quotes:

> One faculty position advertised last year was in French and francophone studies with a "specialization in Black France." It yielded a more racially diverse but still majority-white applicant pool. The committee was adamant about its intended outcome. "In our deliberations to select finalists, the importance of bringing Bla scholars to campus was deemed to be essential. We thus chose three Black candidates."
>
> Candidates' demographics also appeared to play a significant role in faculty hiri decisions. Throughout the reports, references to the race and sex of candidates abound.
>
> This emphasis seemed to have an effect—sometimes a remarkable one—on the demographic makeup of the proposed finalists. For a role in communications, fo of the 46 applicants were Hispanic—and so were two of the three finalists. One r in medical anthropology had 67 applicants. The four finalists include the only tw black applicants and the only Native American applicant. "All four scholars on o shortlist are women of color," the committee said.

Sailer, J. (2024). How DEI Becomes Discrimination. Wall Street Journal. Quotes:

> there is evidence that many universities have engaged in outright racial preferen under the aegis of DEI. Hundreds of documents that I acquired through public-records requests provide a rare paper trail of universities closely scrutinizing the race of faculty job applicants. The practice not only appears widespread; it is encouraged and funded by the federal government.

> At Vanderbilt University Medical Center, a large hiring initiative targets specific racial groups—promising to hire 18 to 20 scientists "who are Black, Latinx, American Indian, and Pacific Islander." Discussing a related University of New Mexico program, one professor quipped in an email, "I don't want to hire white men for sure."
>
> Both initiatives are supported by the National Institutes of Health…
>
> The documents—which include emails, grant proposals, progress reports and hiring records—suggest that many NIH First grant recipients restrict hiring on t basis of race or "underrepresented" status, violating NIH's stated policies and possibly civil-rights law.
>
> The University of Texas Southwestern Medical Center and the University of Tex at Dallas jointly proposed hiring 10 scholars "from underrepresented groups," noting that the NIH First program specifically identifies racial minorities and women as underrepresented.

Sailer, J. (2024). UM's "Cultural Transformation. City Journal. Quotes:

> The university apparently believes that the fellows initiative's demographics are proof of concept for M-PACT. "Of the 45 Collegiate Fellows who have been hire UM," the proposal says, "90% identify as persons of color, 65% from traditionally URM racial/ethnic groups (Black, Latinx or Native American) and 70% are wome And a "majority . . . also identify with at least one other minoritized identity (LGBTQ+, first generation, person with a disability, low socioeconomic status, o veteran)."
>
> This raises questions about overt discrimination … As one recipient from anothe university of the NIH FIRST program stated in an email I obtained, "I don't wan hire white men for sure."

Taylor, Jr, S. (2025). A Look at Princeton's DEI Structure Amid Trump Trashing DE RealClearPolitics. Quotes:

> Said another faculty member, who preferred not to be named out of a fear of retaliation: "[A]t Princeton concerns about identity are all around. In many conversations about hiring or graduate admissions, race and/or gender are introduced. People will assert that 'this job must go to an A or B,' in spite of fede law and merit. Many of the Princeton institutions to which I pay attention have made inappropriate statements." For years, this professor said, the faculty hiring process has been permeated with quasi-covert racial/gender preferences.

DEI is Harmful to Academic Freedom and Free Inquiry

Abbot, D.S. and I. Marinovic, The DEI Trojan Horse Is a University Leadership Failure, Newsweek, 2023.

Abbot, D.S., S. Klainerman, and I. Marinovic, The Political Problem on Campus, Newsweek, 2021

> many schools now require pledges of commitment to a totalizing ideological var of Diversity, Equity and Inclusion (DEI) as part of faculty position applications. This gross violation of university neutrality excludes dissenting scholars before t even get the chance to dissent. Moreover, it is probably illegal.

Academic Freedom Alliance calls for An End to Required Diversity Statements.

Foundation for Individual Rights and Expression Statement on on the Use of Diver Equity, and Inclusion Criteria in Faculty Hiring and Evaluation. Some select quotes

> To be sure, colleges and universities have an interest in their faculty being effect teachers who create welcoming and dynamic learning environments and are invested in the success of every one of their students, regardless of identity or background. But DEI statement policies often go beyond these reasonable

> expectations by using politically loaded terms and frameworks to inquire about faculty members' views, affiliations, or activities.
>
> While the phrase "diversity, equity, and inclusion" may sound innocuous or uncontroversial, in practice it is laden with political and ideological connotation that make it a matter of lively debate. For instance, the term "equity" is often differentiated from the idea of "equality" or "equal treatment." One need not loo hard to find a wealth of different perspectives on this issue.

Friedersdorf, C. (2023). The Hypocrisy of Mandatory Diversity Statements. The Atlantic.

Hooven, C. K. (2023). Academic freedom is social justice: Sex, gender, and cancel culture o campus. Archives of Sexual Behavior, 52(1), 35-41.

Jussim, L., Honeycutt, N., Careem, A., Bork, N., Finkelstein, D., Yanovsky, S. & Finkelstein (2024). The New Book Burners: Academic Tribalism (pp. 227-246). The Tribal Mind and th Psychology of Collectivism, J. Forgas, Ed. New York: Taylor and Francis. Note: This is an edited proof.

- This chapter frames outrage mob-instigated retraction of peer reviewed papers that lack even the accusation of data fraud or error as modern book burning. Several of the examples are articles that criticized DEI or diversity initiatives. A such, it constitutes evidence that, their rhetoric about "inclusion" notwithstanding, many DEI advocates are, quite ironically, intolerant and censorious.

Kennedy, R. L. (2024). Mandatory DEI Statements Are Ideological Pledges of Allegiance. Time to Abandon Them. Harvard Crimson. Quote:

> By requiring academics to profess — and flaunt — faith in DEI, the proliferation diversity statements poses a profound challenge to academic freedom.

McBrayer, J. P. (2022). Diversity Statements Are the New Faith Statements. Inside Higher Education.

> Fourth, both faith and diversity statements close questions. An open question is that has not yet been answered. It is evidentially unsettled. A closed question is that has been answered and set aside. No more inquiry is welcome on that front.
>
> When a religious institution requires applicants to agree in advance that the wor was created in six literal days, it is effectively closing the question on the origin the cosmos. Anyone willing to challenge that dogma need not apply. Once again, diversity statements do the same thing. If the history department is only willing hire applicants committed to building an antiracist recruitment pipeline, that closes the question on whether antiracist structures do more harm than good. If applicants are required to submit statements detailing how their service will dismantle structural racism in the university, that closes the question on whethe structural racism is really the root cause of our lack of racial diversity.

Paresky, P. (2022). Diversity, Equity, and Inclusion: Commitment or Cult? Psycholog Today. On Dorian Abbot's disinvitation from a prestigious talk at MIT in the name DEI:

> Abbot's ideas about DEI are so taboo that even though he was invited to speak about his entirely unrelated area of expertise, the extent to which he is himself morally polluted to those who adhere to a certain mindset meant that his presen would morally pollute the department, the campus, and anyone who might hear speak. DEI efforts at MIT and other institutions have become a cultish monocul in which dissent is blasphemy and heretics must be excommunicated.

Taylor, Jr, S. (2025). A Look at Princeton's DEI Structure Amid Trump Trashing DE RealClearPolitics. Quotes:

> As direct forms of discrimination are now virtually nonexistent in academia, discrimination has been redefined as an invisible, structural form of bigotry that suddenly everywhere. Like witchcraft, this form of prejudice cannot be observed directly. Rather, it manifests instead through unequal outcomes. Once justice wa reformulated in terms of equality of results, it became untenable to insist on mer and the pursuit of truth; these values had to be abandoned or redefined, whenev they came into conflict with the new orthodoxy.

DEI Statements are Loyalty Oaths and Violate First Amendment Protections Against Compelled Speech

Note: Loyalty oaths and compelled speech are also free speech issues.

Epstein, R.A. (2020). The civil rights juggernaut. University of Illinois Law Review, 1541-15
Quotes:

> The fourth and final issue involves the imposition of various required statements that applicants must sign to indicate the ways in which their actions will, regard of their field of study, advance the cause of diversity and inclusion. These forced statements are all too reminiscent of the loyalty oaths against communism that were required in the 1950s and should be greeted with the same kind of constitutional and social hostility. A free society does not make political commitments a sine qua non for university (or industry) jobs, and the willingnes impose them represents a sad form of modern totalitarianism.

Foundation for Individual Rights and Expression Statement on on the Use of Diver Equity, and Inclusion Criteria in Faculty Hiring and Evaluation.

Leiter, B. (2023). Do "diversity" statements violate academic freedom? Leiter Report This is a brief essay, but includes a link to a YouTube video of a debate about wheth DEI statements violate academic freedom. From the essay itself:

> [the debate] made clear that a key point of difference is about whether "diversity an extramural or intramural purpose of higher education. I think it is clearly the former: the essential purpose of universities is the production and dissemination knowledge (i.e., research and teaching). Universities have over time been enlisted (or enlisted themselves) in various social causes, from anti-communism to the "w effort," to diversity. These are extramural; we can debate the wisdom of universi committing themselves to these social policies, but their having done so does no give them a right to corral faculty time and effort for the same purpose.

Hendricks, P. (2024). Diversity Statements are Discriminatory and a Waste of Time. Blog of the American Philosophical Association.

> The first reason Diversity Statements shouldn't be required is that they are a too political discrimination. Indeed, according to one study, 50% of professors believ Diversity Statements are a political litmus test, and according to another study, nearly 23% of tenured (or tenure track) professors think Diversity Statements are political litmus test *and* that it's appropriate to require them. Really think about that for a minute. Nearly 1 out of every 4 professors think it's okay to use Diversi Statements as a tool of political discrimination. That's *crazy*. This is a strong reas not to require Diversity Statements, since we shouldn't politically discriminate i our hiring practices.

Saha, A. (2025). Universities Must Recommit to Excellence and Reject Political Loya Oaths. *Presser.*

Sailer. J. (2022). Higher Ed's New Woke Loyalty Oaths. Tablet.

Sailer, J. (2024). MIT becomes first elite university to ban diversity statements. Unhe Quotes:

> … the basic argument against them is simple: "diversity, equity, and inclusion" ha come to connote a set of controversial views about identity, power, and oppressi

> Universities which require scholars to "demonstrate" their "commitment" to DE can easily invite ideological screening, as well as potentially unlawful viewpoint discrimination. Many groups thus oppose the diversity statements on the groun of academic freedom and free expression.
>
> At MIT, these arguments seemed to have won the day. In a statement provided t me via email, president Kornbluth notes: "We can build an inclusive environmen many ways, but compelled statements impinge on freedom of expression, and th don't work."

Thompson, A. (2019). A word from… (editorial in *Notices of the American Mathematic Society*). (this is one of the earliest critiques of DEI statements from within academi On cue, Thompson was mobbed and denounced for it).

Thompson, A. (2019). The University's New Loyalty Oath. Wall Street Journal.

DEI Bureaucracies' Cost Exceeds Their Value

Greene, J. & Paul, J. (2021). Diversity University: DEI Bloat in the Academy. Heritag Foundation.

New York Times, 3/27/25. University of Michigan to Scuttle Its Flagship D.E.I. Program. From the article:

> Michigan said it would discontinue its diversity "strategic plan," known as D.E.I 2.0, and effectively dismantle the large administrative bureaucracy constructed t drive it through the university's colleges and professional schools.
>
> At the same time, the officials said, they planned to redirect funds toward expan financial aid and student counseling…
>
> Michigan has spent roughly a quarter of a billion dollars on a wide range of D.E. initiatives aimed at improving both economic and racial diversity.

> The majority of that money went to salaries and benefits for D.E.I. staff across th university's three campuses, according to an internal accounting prepared by Michigan's D.E.I. office last year.
>
> During roughly the same period [since 2016, when UM adopted DEI], however, th proportion of Black students on campus did not substantially change.

DEI Worsens Academic Mal/Dysfunctions

Five Critical Essays on Equity, Diversity and Inclusion. Because I am too lazy to reference them separately, I have put this here, though they cover a range of topics could belong under several of the other main headings. Here is the list of essays:

13 The rise and rise of university bureaucracy
Abhishek Saha

21 Architecture? What's the point?
Adam N. Mayer

27 Evasive, descriminatory impositions
Sarah Phillimore

33 It's all a façade
Zhanet Mishineva

39 Manipulating the Arts
Pauline Hadaway

47 Afterword
Patrik Schumacher

Abbot, D.S., S. Klainerman, and I. Marinovic, The Political Problem on Campus, Newsweek, 2021

> DEI compromises the university's mission. The core business of the university is the search for truth. A university's intellectual environment depends fundamentally on its commitment to hiring the most talented and best trained minds: any

> departure from this commitment must come at the expense of academic excellen and ultimately will compromise the university's contribution to society. This poi is particularly urgent given that DEI considerations often reduce the pool of trul eligible candidates by a factor of two or more.

Efimov, I. R., Flier, J. S., George, R. P., Krylov, A. I., Maroja, L. S., Schaletzky, J., ... & Thompson, A. (2024). Politicizing science funding undermines public trust in science, academic freedom, and the unbiased generation of knowledge. Frontiers in Research Metri and Analytics, 9, 1418065.

This article was published before the Trump administration adopted the policy of purging DEI from all federal govt programs and activities. Therefore, its descriptio how DEI was embedded in funding is outdated, because it no longer is. This article included here not because it describes current federal policy, but because it articula a set of reasons why the authors believed that embedding DEI in federal funding wa very bad policy for science.

Their abstract:

> This commentary documents how federal funding agencies are changing the criteria by which they distribute taxpayer money intended for scientific research Increasingly, STEMM (Science, Technology, Engineering, Mathematics, and Medicine) funding agencies are requiring applicants for funding to include a pla advance DEI ("Diversity, Equity, and Inclusion") in their proposals and to dedica part of the research budget to its implementation. These mandates undermine th academic freedom of researchers and the unbiased generation of knowledge nee for a well-functioning democracy. Maintaining excellence in science is fundame to the continuation of the U.S. as a global economic leader. Science provides a ba for solving important global challenges such as security, energy, climate, and health. Diverting funding from science into activities unrelated to the productio knowledge undermines science's ability to serve humankind. When funding agencies politicize science by using their power to further a particular ideologic

> agenda, they contribute to public mistrust in science. Hijacking science funding promote DEI is thus a threat to our society.

Epstein, R.A. (2020). The civil rights juggernaut. University of Illinois Law Review, 1541-15
Quotes:

> It is important to understand that the pervasive modern references to "diversity inclusion" are not renewed calls to heed the lesson of Dr. Martin Luther King Jr., who proclaimed that what matters is the content of one's character and not the color of one's skin. Nor do such references refer to reaching out to make sure tha individuals from all groups and all walks of life are included in modern social discourse. Rather, it is evident from the constant insistence that diversity and inclusion are compelling state interests that any other concern, including freedo of speech and conscience, must take a subordinate place when pitted against the if only so that people whose views do not fit this modern conception can be shou down with the justification that their views are so odious that they do not requir refutation.
>
> This creeping orthodoxy is not confined to any single subject matter. As is evide from the pronouncements of once great institutions like Harvard University and University of California, that same authoritarian impulse now guarantees that th phrase "diversity and inclusion" is transformed into a commitment to establish, both hiring and admissions, systematic preferences in favor of women and some minority groups, with the deliberate intention of reducing and marginalizing the position of those who do not share that common vision.

Friedersdorf, C. (2023). The Hypocrisy of Mandatory Diversity Statements. The Atlantic.

Haltigan, J.D. (2023). My Diversity, Equity, & Inclusion (DEI) Statement for a Recent Academic Job Posting. The Multilevel Mailer. Quote:

> I believe that the use of diversity, equity, and inclusion (DEI) statements in evaluating candidates for positions in higher education and academia are anathe to the ideals and principles of rigorous scholarship, and the sound practice of science and teaching—all of which public universities were created to uphold. D statements have become a political litmus test for political orientation and activi that has created an untenable situation in higher academia where diversity of thought—the bedrock of liberal education—is neither promoted nor tolerated. Public trust in our universities has been severely diminished as a consequence. A the noted American sociologist and sociocultural scholar Philip Rieff noted deca ago in relation to the vogue for politically engaged teaching and scholarship "inactivism is the ticket."
>
> Several recent investigative journalism efforts have documented how DEI statements have been used to screen and penalize applicants for not possessing 'correct' political ideas or endorsing activist ideologies…
>
> Moreover, there is a growing recognition among scholars, public intellectuals, ar elected legislators that mandatory DEI statements are not only unethical, but als serve to preclude the very attributes they presume to enhance, instead creating censorious, divisive, polarizing, and otherwise inhospitable workplace cultures t are at odds with the core principles upon which public universities have been founded. In short, the institutionalization of DEI has become an iatrogenic force making the university ill-suited to producing reliable knowledge.

Hommel, B. (2024). Dealing with diversity in psychology: Science or ideology? Perspectives Psychological Science, 19(3), 558-563.

Jussim, L. (2023). The Great DEI Debate. Unsafe Science. Quotes:

> DEI in general, as actually implemented, is somewhere between a useless boondoggle and a complete disaster. Major universities now have scores of DEI bureaucrats, often costing $5-10m/year or more. Imagine what that money could

> put toward: faculty, buildings, fellowships for meritorious low SES students (whi will be disproportionately nonwhite without race-based policies).
>
> DEI is regularly instituted without evidence that larger DEI bureaucracies produ more diverse students or faculty. Its almost like an article of faith in progressive circles, a religious dogma without supernatural gods.
>
> Here is a legitimate view about DEI precluded by how DEI statements are used - anyone who wrote this would be immediately excluded from consideration:
>
> - "DEI IS A COUNTERPRODUCTIVE WASTE OF RESOURCES." This is a viewpoint. Whether DEI is good or bad is an opinion; one might bring facts bear on it, but whether it is net good or bad is *still* an opinion. Rejecting tho who hold it constitutes viewpoint discrimination. That expression of such a viewpoint would be exclusionary shows how demands to conform to progressive views of diversity is a form of compelled speech or censorship (f those who refuse to comply). It violates academic freedom.
>
> FORTHCOMING FIRE Survey (now available):
>
> - 75% of liberal faculty endorse DEI statements
> - 90% of conservative faculty oppose them
>
> Tell me again how this is not a political litmus test?

Jussim, L. (2024). Diversity is diverse: Social justice reparations and science. Perspectives o Psychological Science, 19(3), 564-575. This is the final sentence of the abstract:

> I also highlight omissions, limitations, and potential downsides to the narrow manner in which psychology and the broader academy are currently implementi diversity, equity, and inclusion.

Saha, A. (2024). Equality, Diversity and Inclusion in the Mathematics Community: A Perspective on Data and Policy. *European Review*. *32(3)*:308-320. doi:10.1017/S1062798724000152. From the conclusion:

> If people introduce an EDI intervention, they should first evidence and pilot it, a following its implementation they should monitor its effects.

Sailer. J. (2023). How the NIH Pushes DEI on Scientists. Wall Street Journal.

Sailer. J. (2023). How DEI Is Supplanting Truth as the Mission of American Universities. The Free Press. Quote:

> For the first time in his 40 years at UCLA, Klein told me he had to submit a statement on equity, diversity, and inclusion. UCLA had adopted this as a **promotion requirement** in 2019, and now demands that all faculty members exp how they will advance these principles in their work, and how their mentoring a advising helps those "from underrepresented and underserved populations."
>
> Klein inquired of the EDI office just what groups of students they meant. When they failed to reply, he wrote a dissent he made available to me, which reads in p
>
> "I find it abhorrent for the University to encourage faculty members to classify a prioritize students based on their group identities. I intend to continue helping a students equally, regardless of their backgrounds."
>
> Although his previous teaching evaluations were sterling, and he had received pr merit raises, this one was declined. Klein has **brought suit** against UCLA.

Sailer, J. (2024). Yale Tells Hopeful Scientists: You Must Commit to DEI. The Free Press.

> Want to be a molecular biologist at Yale? Well, make sure you have a ten-step pl for dismantling systemic racism. When making hires at Yale's department of

> molecular biophysics and biochemistry, faculty are told to place "DEI at the cent
> of every decision," according to a document tucked away on its **website**.

Taylor, Jr, S. (2025). A Look at Princeton's DEI Structure Amid Trump Trashing DE
RealClearPolitics. Quotes:

> Anthony, a self-described conservative, continued: "Princeton's diversity, equity,
> and inclusion initiatives are misnamed: They divide, exclude, and ostracize stude
> of all political affiliations by rendering it socially dangerous to express any critic
> of progressive mantras. Thirty-one academic departments have DEI committees
> which could explain the land acknowledgements in syllabi and the deluge of
> departmental anti-racism statements that inform students what can and can't be
> said in class."
>
> "Princeton's diversity bureaucracy functions as an ideological surveillance syste
> that regulates the social and academic cultures," she added. "Freshman orientati
> has compulsory events that include 'diversity and inclusion' in the session's title,
> well as mandatory programs on LGBTQ identity, 'mindfulness,' socioeconomic
> status, and the university's 'history of systemic racism.'"
>
> Matthew Wilson, a 2024 graduate also wrote about the "stifling" effects of such
> ideological surveillance.
>
> "Princeton maintains a highly sophisticated bias-reporting apparatus that
> incorporates elements … from anonymous reporting to third-party hosting softw
> … overseen by the university's DEI office, known as the Office of Institutional
> Equity and Diversity," he wrote. "The DEI office accepts two types of bias report
> those made in-person, by email, or through an online form by identified
> complainants; and those made anonymously. Both faculty members and students
> can be the subject of bias reports."

> His bracing account of the realities of modern campus life paints a portrait of a climate more akin to a police state than a liberal academic environment

Commenting

Before commenting, please review my commenting guidelines. They will prevent yc comments from being deleted. Here are the core ideas:

1. Don't attack or insult the author or other commenters.
2. Stay relevant to the post.
3. Keep it short.
4. Do not dominate a comment thread.
5. Do not mindread, its a loser's game.
6. Don't tell me how to run Unsafe Science or what to post. (Guest essays are welcome and inquiries about doing one should be submitted by email).

Footnotes

1 **Almost completely one-sided.** Not completely. Some sources do present a more balance view or data regarding DEI. They are included here because a balanced view or data includes criticisms and/or data that disconfirms *some* of the narratives promoted by DEI advocates. They are here for their criticisms and disconfirming data.

2 **So, DEI advocates, if you want to limit discrimination, let's bag the implicit bias traini A better bet is to start encouraging your colleagues to start focusing like a laser on me** This is my conclusion, not that of the authors, who wrote: *"Given that multiculturalism is n consistently associated with improved intergroup relations the overall quality of intergroup relati is likely to be highest in settings where most individuals hold a multicultural ideology."* I beg to

differ. This is not the place for me to do a full wooden stake essay debunking this article, briefly…

First, none of the articles they included assessed "change" in the "quality of intergroup relations" so the whole thing is misrepresented. Second, they had four outcomes (discrimination, prejudice, stereotyping, and policy support) in the meta-analysis, predict by four ideologies (meritocracy, assimilation, color-blind, multicultural). They reached th conclusion because multiculturalism negatively correlated with everything except policy which was strongly positive. However, in the real world, discrimination — which is beha towards others — is vastly more important than stereotypes or prejudice (which are mere inside people's heads). Meritocracy had a much larger negative relationship with discrimination (-.48) than did multiculturalism (-.32) and I'd argue this completely trump multiculturalism's stronger negative relationships with stereotypes and prejudice (and d get me started on the accuracy of stereotypes). Here is how they defined "policy":

> We also focus on support for diversity policies, defined to include any policy aimed at increasing diversity by providing nondominant groups with additional resources and opportunities (e.g., affirmative action, permissive immigration).

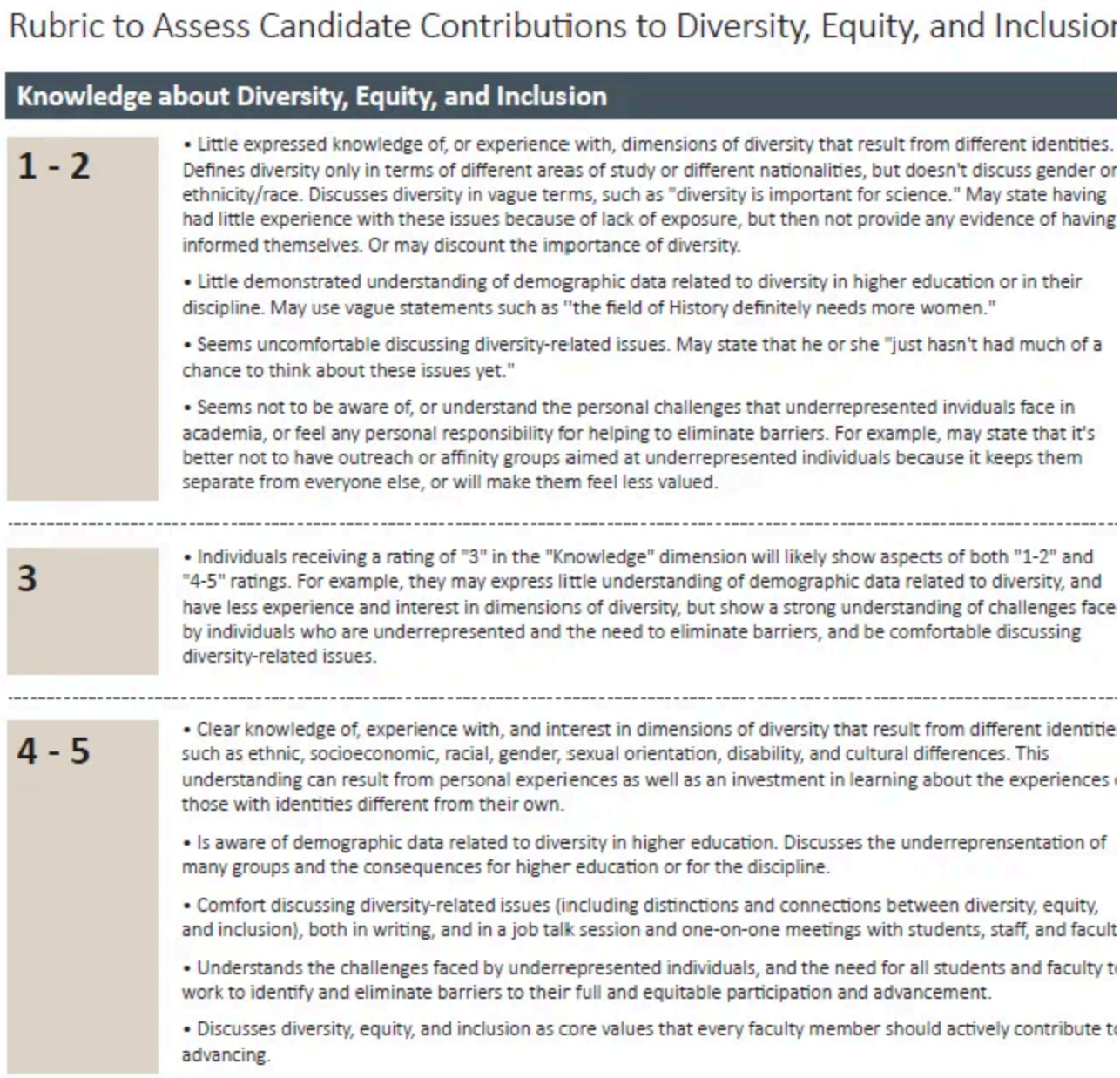
Given that most Americans oppose permissive immigration, and have relentlessly voted bans on affirmative action when given the opportunity, the fact that multiculturalism predicts support for these policies is dubious, at best, and completely undermines at wor support for their claim that "*multiculturalism is most consistently associated with improved intergroup relations.*" The meritocracy beliefs correlation with "policy" was =-.45, meaning people high in meritocracy beliefs were more likely to oppose affirmative action and permissive immigration policies than those low in such beliefs. I am pretty sure that, combined with the strong negative correlation with discrimination, the meritocracy beli are most beneficial for intergroup relations.

3 **Cross woke academics and all Hell can break loose.** I wrote that in August 2022. By December 2022, my article criticizing a previously published paper advocating for divers in psychology was denounced, demonized, and subject to a call for retraction by almost 1 academics. That article was eventually published and is listed above (Jussim, 2024, Divers is Diverse).

4 **Berkeley rubric for evaluating DEI statements.** The UC system has recently banned use diversity statements for hiring. However, the link in Coyne's essay to that rubric is this:

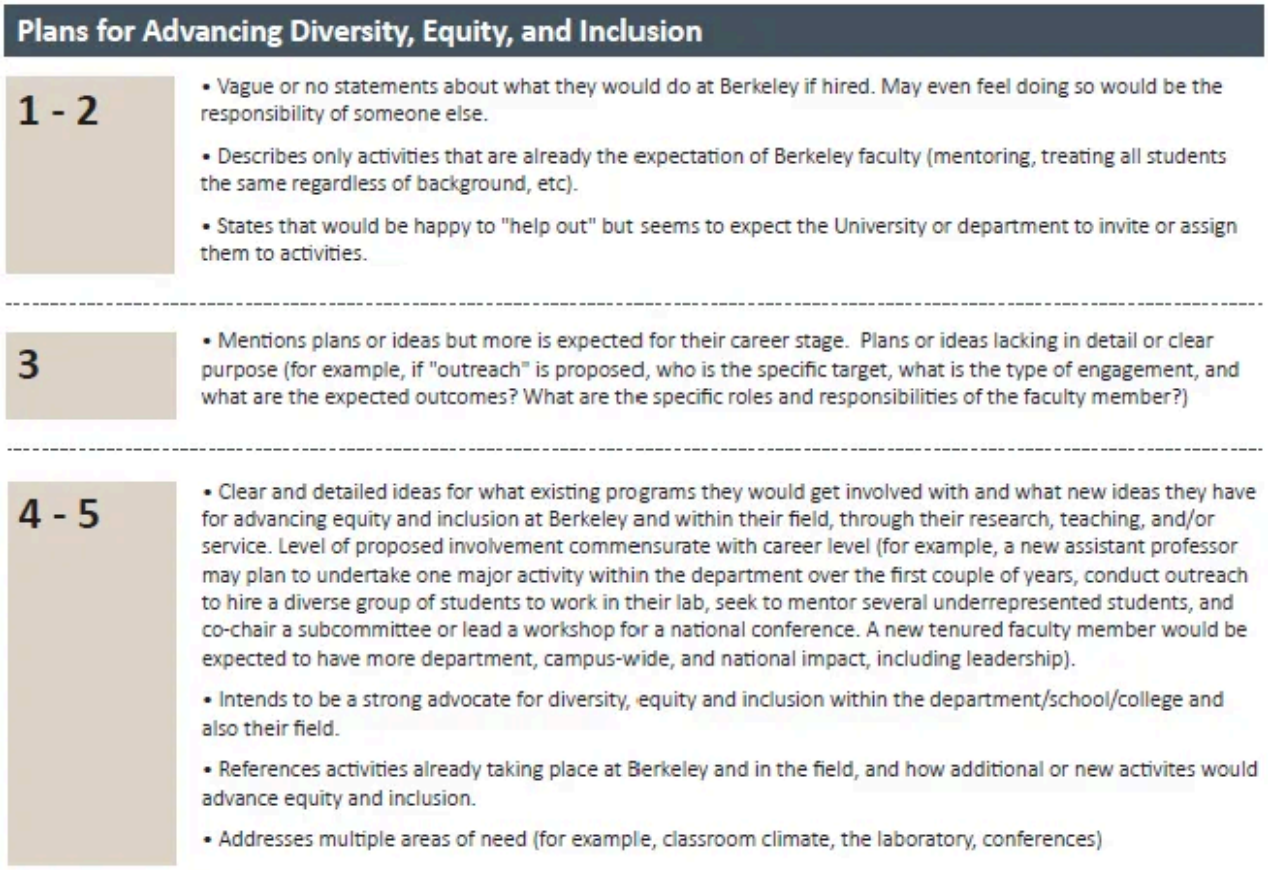
https://ofew.berkeley.edu/creating-rubric-assess-faculty-candidates

which is from 2024-25 and looks fairly innocuous, at least compared to what used to be there. Unforuntately, even my go-to internet archiving service, the Wayback Machine, di not have a link earlier than 2024. Fortunately, however, I had saved a version from 2019. I a thing to behold:



Rubric to Assess Candidate Contributions to Diversity, Equity, and Inclusior

Knowledge about Diversity, Equity, and Inclusion	
1 - 2	• Little expressed knowledge of, or experience with, dimensions of diversity that result from different identities. Defines diversity only in terms of different areas of study or different nationalities, but doesn't discuss gender or ethnicity/race. Discusses diversity in vague terms, such as "diversity is important for science." May state having had little experience with these issues because of lack of exposure, but then not provide any evidence of having informed themselves. Or may discount the importance of diversity. • Little demonstrated understanding of demographic data related to diversity in higher education or in their discipline. May use vague statements such as "the field of History definitely needs more women." • Seems uncomfortable discussing diversity-related issues. May state that he or she "just hasn't had much of a chance to think about these issues yet." • Seems not to be aware of, or understand the personal challenges that underrepresented inviduals face in academia, or feel any personal responsibility for helping to eliminate barriers. For example, may state that it's better not to have outreach or affinity groups aimed at underrepresented individuals because it keeps them separate from everyone else, or will make them feel less valued.
3	• Individuals receiving a rating of "3" in the "Knowledge" dimension will likely show aspects of both "1-2" and "4-5" ratings. For example, they may express little understanding of demographic data related to diversity, and have less experience and interest in dimensions of diversity, but show a strong understanding of challenges face by individuals who are underrepresented and the need to eliminate barriers, and be comfortable discussing diversity-related issues.
4 - 5	• Clear knowledge of, experience with, and interest in dimensions of diversity that result from different identitie such as ethnic, socioeconomic, racial, gender, sexual orientation, disability, and cultural differences. This understanding can result from personal experiences as well as an investment in learning about the experiences those with identities different from their own. • Is aware of demographic data related to diversity in higher education. Discusses the underreprensentation of many groups and the consequences for higher education or for the discipline. • Comfort discussing diversity-related issues (including distinctions and connections between diversity, equity, and inclusion), both in writing, and in a job talk session and one-on-one meetings with students, staff, and facult • Understands the challenges faced by underrepresented individuals, and the need for all students and faculty t work to identify and eliminate barriers to their full and equitable participation and advancement. • Discusses diversity, equity, and inclusion as core values that every faculty member should actively contribute t advancing.



Plans for Advancing Diversity, Equity, and Inclusion	
1 - 2	• Vague or no statements about what they would do at Berkeley if hired. May even feel doing so would be the responsibility of someone else. • Describes only activities that are already the expectation of Berkeley faculty (mentoring, treating all students the same regardless of background, etc). • States that would be happy to "help out" but seems to expect the University or department to invite or assign them to activities.
3	• Mentions plans or ideas but more is expected for their career stage. Plans or ideas lacking in detail or clear purpose (for example, if "outreach" is proposed, who is the specific target, what is the type of engagement, and what are the expected outcomes? What are the specific roles and responsibilities of the faculty member?)
4 - 5	• Clear and detailed ideas for what existing programs they would get involved with and what new ideas they have for advancing equity and inclusion at Berkeley and within their field, through their research, teaching, and/or service. Level of proposed involvement commensurate with career level (for example, a new assistant professor may plan to undertake one major activity within the department over the first couple of years, conduct outreach to hire a diverse group of students to work in their lab, seek to mentor several underrepresented students, and co-chair a subcommittee or lead a workshop for a national conference. A new tenured faculty member would be expected to have more department, campus-wide, and national impact, including leadership). • Intends to be a strong advocate for diversity, equity and inclusion within the department/school/college and also their field. • References activities already taking place at Berkeley and in the field, and how additional or new activites would advance equity and inclusion. • Addresses multiple areas of need (for example, classroom climate, the laboratory, conferences)

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Patrick D. Caton Mar 30

Liked by Lee Jussim

Comprehensive!

DEI is still a menace that needs to disappear soonest

LIKE (5) REPLY

Theodore Olson Mar 30

Liked by Lee Jussim

Holy mackerel what a compendium! I am very grateful for your incredibly persistent work in gath up this stuff. You asked for other pieces, and mine likely won't fit, since it's a personal narrative a being a K12 teacher, 1999-2018 during the rise of "equity," after diversity, just before CRT and be inclusion grew like wildfire into DEI. These terms have real boots-on-the-ground etymologies. Th Lee, for the hard work. Here's my piece. https://hotspvrre.substack.com/p/it-doesnt-fit-the-narra

LIKE (3) REPLY

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